

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/996,350  
Filing Date: 11/28/01  
Applicant: Richardson et al  
Group Art Unit: 3724  
Examiner: Payer  
Title: Pivotal Plant Protector  
Attorney Docket: 0275R-000542

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**TERMINAL DISCLAIMER**

Sir:

1. The assignee of record of the present application, as well as of U.S. Patent No. 6,655,034, hereby disclaims and dedicates to the public the term of any patent which issues from the present application which extends beyond the expiration date of said U.S. Patent No. 6,655,034, namely November 28, 2021.

2. I, Johnathon J. Yun further agree and acknowledge that any patent granted on the present application shall be enforceable only for and during the period that said patent is commonly owned with said U.S. Patent No. 6,655,034.

3. I do not not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of Patent No.

6,655,034 in the event that it: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

I, Johnathon J. Yun, declare that I am the counsel of Black & Decker Inc. and am authorized to make this declaration: that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Name: Johnathon J. Yun

Title: Attorney

Date: June 28, 2004

Assignee: Black &amp; Decker Inc.